TOGUT, SEGAL & SEGAL LLP One Penn Plaza, Suite 3335 New York, New York 10119 (212) 594-5000 Kyle J. Ortiz Bryan M. Kotliar

In re:

Counsel to Ad Hoc Group of Custodial Account Holders

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

:

CELSIUS NETWORK LLC, et al.,<sup>1</sup> : Case No. 22-10964 (MG)

: (Jointly Administered)

Chapter 11

Debtors.

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## **VERIFIED STATEMENT PURSUANT TO BANKRUPTCY RULE 2019**

In connection with the above-captioned chapter 11 cases (the "Chapter 11 Cases"), Togut, Segal & Segal (the "Togut Firm") hereby submits this verified statement (the "Statement") pursuant to Rule 2019 of the Federal Rules of Bankruptcy Procedure ("Bankruptcy Rule 2019") with respect to the Togut's Firm's representation of a group of account holders (the "Ad Hoc Group of Custodial Account Holders") in connection with such account holders' property held by Celsius Network LLC and certain of its affiliated debtors and debtors in possession (the "Debtors") in connection with the

The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

Celsius Custody Service.<sup>2</sup>

- 1. Attached hereto as <u>Exhibit A</u> is a list of the names and addresses<sup>3</sup> of each member of the Ad Hoc Group of Custodial Account Holders, and each member's disclosable economic interests in accordance with Bankruptcy Rule 2019, in the amount set forth in <u>Exhibit A</u> (as of July 13, 2022). The information contained in <u>Exhibit A</u> is based upon information provided by the members of the Ad Hoc Group of Custodial Account Holders and is subject to change.
- 2. On or about August 1, 2022, the initial members of the Ad Hoc Group of Custodial Account Holders retained the Togut Firm to represent it in connection with the above-captioned Chapter 11 Cases. Additional members continue to join the Ad Hoc Group of Custodial Account Holders on an ongoing basis, and the Togut Firm will file additional Statements as necessary to comply with Bankruptcy Rule 2019.
- 3. Each member of the Ad Hoc Group of Custodial Account Holders has consented to the Togut Firm's representation of the group. The Togut Firm does not represent any member of the Ad Hoc Group of Custodial Account Holders in its individual capacity or with respect to any property interests (or related claims) other than in connection with the Celsius Custody Service.
- 4. The information contained in this Statement and/or <u>Exhibit A</u> attached hereto is intended only to comply with Bankruptcy Rule 2019 and is not intended for any other use or purpose, including, without limitation, any restriction or limitation on

<sup>&</sup>lt;sup>2</sup> Each member of the Ad Hoc Group of Custodial Account Holders files this Statement exclusively on its own behalf and does not assume any fiduciary or other duties to any other member or to any other entity or individual.

To protect the personal information of each member, the address listed for each member is the Togut Firm's business address and the email address is listed as CelsiusCustodyGroup@teamtogut.com.

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the rights, abilities, or arguments of the Ad Hoc Group of Custodial Account Holders to recover their property held by the Debtors (or any third parties) pursuant to the Celsius Custody Service. Nothing in this Statement or Exhibit A hereto, should be construed as (i) a limitation upon, or waiver of, any member's right to assert, file, and/or amend claims, if any, in accordance with applicable law and any orders entered in these Chapter 11 Cases, or (ii) an admission with respect to any fact or legal theory. The Togut Firm reserves the right to amend or supplement this Statement on behalf of the Ad Hoc Group of Custodial Account Holders.

5. The undersigned verify that the foregoing is true and correct to the best of their knowledge.

DATED: August 19, 2022 New York, NY

AD HOC GROUP OF CUSTODIAL ACCOUNT HOLDERS
By its Counsel,
TOGUT, SEGAL & SEGAL LLP
By:

|s| Kyle J. Ortiz

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